



## HOUSE OF REPRESENTATIVES

### COMMITTEE ON LABOR

REP. JIM HAADSMA

CHAIR

## COMMITTEE MEETING MINUTES

Thursday, April 13, 2023

9:00 AM

Room 326, House Office Building

The House Committee on Labor was called to order by Chair Haadsma.

The Chair requested attendance be called:

Present: Reps. Haadsma, Mentzer, Koleszar, O'Neal, Andrews, Wegela, Wozniak, Mueller, Kunse.

Absent: Rep. Churches.

Excused: Rep. Churches.

Representative Wozniak moved to adopt the meeting minutes from March 16, 2023. There being no objection, the motion prevailed by unanimous consent.

The Chair laid HB 4390, HB 4391, HB 4392, HB 4393, HB 4394, HB 4395, HB 4396, HB 4397, HB 4398, HB 4399, HB 4401, HB 4402, HB 4403, HB 4404, HB 4405 and HB 4406 before the committee:

HB 4390 (Rep. Haadsma)

A bill to amend 1978 PA 390, entitled "An act to regulate the time and manner of payment of wages and fringe benefits to employees; to prescribe rights and responsibilities of employers and employees, and the powers and duties of the department of labor; to require keeping of records; to provide for settlement of disputes regarding wages and fringe benefits; to prohibit certain practices by employers; to prescribe penalties and remedies; and to repeal certain acts and parts of acts," by amending sections 1, 13, 15, 18, and 19 (MCL 408.471, 408.483, 408.485, 408.488, and 408.489), section 1 as amended by 2016 PA 18, and by adding sections 13c and 13d.

HB 4391 (Rep. Brenda Carter)

A bill to amend 1967 PA 281, entitled "Income tax

act of 1967," by amending section 471 (MCL 206.471), as amended by 2011 PA 38, and by adding section 707a.

HB 4392 (Rep. Witwer)

A bill to amend 1980 PA 469, entitled "The whistleblowers' protection act," by amending sections 1, 2, and 3 (MCL 15.361, 15.362, and 15.363), section 3 as amended by 1982 PA 146.

HB 4393 (Rep. O'Neal)

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2023; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations.

HB 4394 (Rep. Hill)

A bill to amend 1978 PA 390, entitled "An act to regulate the time and manner of payment of wages and fringe benefits to employees; to prescribe rights and responsibilities of employers and employees, and the powers and duties of the department of labor; to require keeping of records; to provide for settlement of disputes regarding wages and fringe benefits; to prohibit certain practices by employers; to prescribe penalties and remedies; and to repeal certain acts and parts of acts," by amending section 11 (MCL 408.481).

HB 4395 (Rep. Breen)

A bill to amend 2018 PA 337, entitled "Improved workforce opportunity wage act," by amending section 9 (MCL 408.939).

HB 4396 (Rep. Edwards)

A bill to amend 1980 PA 469, entitled "The whistleblowers' protection act," by amending the title and sections 1, 2, 3, and 5 (MCL 15.361, 15.362, 15.363, and 15.365), section 3 as amended by 1982 PA 146, and by adding section 4a.

HB 4397 (Rep. Andrews)

A bill to create the office of the state employee ombudsman; to provide a process for investigating and evaluating reports of suspected violations of law, conduct or decisions that may endanger public health or safety, and gross mismanagement of public funds; to prescribe the powers and duties of the office, the ombudsman, the legislative council, and certain other state governmental officers and entities; and to prescribe penalties and provide remedies.

HB 4398 (Rep. Martus)

A bill to provide for remedies and prescribe civil sanctions against a person that presents a false or fraudulent claim to obtain money, property, or

services from this state or a local unit of government; to prescribe the powers and duties of certain state and local government officers and agencies; to prohibit retaliation against a person that pursues a remedy under this act; and to authorize the attorney general to promulgate rules.

HB 4399 (Rep. Mentzer)

A bill to amend 1984 PA 274, entitled "Michigan antitrust reform act," by amending section 4a (MCL 445.774a), as added by 1987 PA 243.

HB 4401 (Rep. Whitsett)

A bill to amend 1978 PA 390, entitled "An act to regulate the time and manner of payment of wages and fringe benefits to employees; to prescribe rights and responsibilities of employers and employees, and the powers and duties of the department of labor; to require keeping of records; to provide for settlement of disputes regarding wages and fringe benefits; to prohibit certain practices by employers; to prescribe penalties and remedies; and to repeal certain acts and parts of acts," by amending section 14 (MCL 408.484).

HB 4402 (Rep. Weiss)

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 14b of chapter XVII (MCL 777.14b), as added by 2002 PA 29.

HB 4403 (Rep. Snyder)

A bill to amend 1978 PA 390, entitled "An act to regulate the time and manner of payment of wages and fringe benefits to employees; to prescribe rights and responsibilities of employers and employees, and the powers and duties of the department of labor; to require keeping of records; to provide for settlement of disputes regarding wages and fringe benefits; to prohibit certain practices by employers; to prescribe penalties and remedies; and to repeal certain acts and parts of acts," by amending section 15 (MCL 408.485).

HB 4404 (Rep. Tsernoglou)

A bill to amend 1978 PA 390, entitled "An act to regulate the time and manner of payment of wages and fringe benefits to employees; to prescribe rights and responsibilities of employers and employees, and the powers and duties of the department of labor; to require keeping of records; to provide for settlement of disputes regarding wages and fringe benefits; to prohibit certain practices by employers; to prescribe penalties and remedies; and to repeal certain acts and parts of acts," by amending section 18 (MCL 408.488).

HB 4405 (Rep. Churches)

A bill to amend 1978 PA 390, entitled "An act to regulate the time and manner of payment of wages and fringe benefits to employees; to prescribe rights and responsibilities of employers and employees, and the powers and duties of the department of labor; to require keeping of records; to provide for settlement of disputes regarding wages and fringe benefits; to prohibit certain practices by employers; to prescribe penalties and remedies; and to repeal certain acts and parts of acts," by amending section 7 (MCL 408.477), as amended by 2015 PA 15.

HB 4406 (Rep. Farhat)

A bill to amend 1978 PA 390, entitled "An act to regulate the time and manner of payment of wages and fringe benefits to employees; to prescribe rights and responsibilities of employers and employees, and the powers and duties of the department of labor; to require keeping of records; to provide for settlement of disputes regarding wages and fringe benefits; to prohibit certain practices by employers; to prescribe penalties and remedies; and to repeal certain acts and parts of acts," by amending section 13a (MCL 408.483a), as added by 1982 PA 524.

Tom Lutz, representing the Michigan Regional Council of Carpenters and Millwrights, testified in support of HB 4390, HB 4391, HB 4392, HB 4393, HB 4394, HB 4395, HB 4396, HB 4397, HB 4398, HB 4399, HB 4401, HB 4402, HB 4403, HB 4404, HB 4405 and HB 4406. Questions and discussion followed.

John Bodary, representing Woods Construction, testified in support of HB 4390, HB 4391, HB 4392, HB 4393, HB 4394, HB 4395, HB 4396, HB 4397, HB 4398, HB 4399, HB 4401, HB 4402, HB 4403, HB 4404, HB 4405 and HB 4406. Questions and discussion followed.

Wendy Block, representing the Michigan Chamber of Commerce, testified in opposition to HB 4390, HB 4391, HB 4392, HB 4393, HB 4394, HB 4395, HB 4396, HB 4397, HB 4398, HB 4399, HB 4401, HB 4402, HB 4403, HB 4404, HB 4405 and HB 4406. Questions and discussion followed.

Evan Howe, representing Integrity Interiors Inc., testified in support of HB 4390, HB 4391, HB 4392, HB 4393, HB 4394, HB 4395, HB 4396, HB 4397, HB 4398, HB 4399, HB 4401, HB 4402, HB 4403, HB 4404, HB 4405 and HB 4406. Questions and discussion followed.

Amanda Fisher, representing the National Federation of Independent Business, testified in opposition to HB 4390, HB 4391, HB 4392, HB 4393, HB 4394, HB 4395, HB 4396, HB 4397, HB 4398, HB 4399, HB 4401, HB 4402, HB 4403, HB 4404, HB 4405 and HB 4406. Questions and discussion followed.

John Alpert, representing the Michigan Association for Justice, testified in support of HB

4390, HB 4391, HB 4392, HB 4393, HB 4394, HB 4395, HB 4396, HB 4397, HB 4398, HB 4399, HB 4401, HB 4402, HB 4403, HB 4404, HB 4405 and HB 4406.

The following people submitted a card in support of HB 4390, HB 4391, HB 4392, HB 4393, HB 4394, HB 4395, HB 4396, HB 4397, HB 4398, HB 4399, HB 4401, HB 4402, HB 4403, HB 4404, HB 4405 and HB 4406, but did not wish to speak:

Peter Ruark, representing the Michigan League for Public Policy.

Todd Tennis, representing the International Brotherhood of Electrical Workers Michigan State Conference.

The following person submitted a card in opposition to HB 4390, HB 4391, HB 4392, HB 4393, HB 4394, HB 4395, HB 4396, HB 4397, HB 4398, HB 4399, HB 4401, HB 4402, HB 4403, HB 4404, HB 4405 and HB 4406, but did not wish to speak:

Brian Calley, representing the Small Business Association of Michigan.

The following person submitted a card in opposition to HB 4390, HB 4391, HB 4395 and HB 4397, but did not wish to speak:

Steve Delie, representing the Mackinac Center.

The following person submitted a card in opposition to HB 4399, HB 4401 and HB 4406, but did not wish to speak:

Dave Worthams, representing the Michigan Manufacturers Association.

Representative Mentzer moved to excuse Representative Churches from the meeting. There being no objection the motion prevailed by unanimous consent.

There being no further business before the committee, Chair Haadsma adjourned the meeting at 10:18 AM.

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Representative Jim Haadsma, Chair

Edward Sleeper  
Committee Clerk  
[esleeper@house.mi.gov](mailto:esleeper@house.mi.gov)